



City of San Diego  
**CARL DEMAIO**  
CITY COUNCILMEMBER –DISTRICT 5

## MEMORANDUM

DATE: June 19, 2011  
TO: City Attorney Jan Goldsmith  
FROM: Councilmember Carl DeMaio *Carl DeMaio*  
RE: Retired Senior Volunteer Patrol Cars

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Since being elected to office in 2008, one of my priorities has been to advance the goal of providing “Clean and Safe Neighborhoods” for all San Diegans. Volunteerism and philanthropy are crucial to achieving this goal.

My office recently was approached by the Scripps-Mesa RSVP Foundation would like to purchase more patrol cars and maintain them at their own expense. However, they would like to maintain the insurance coverage provided by the City on vehicles that are currently provided by the Police Department.

Retired Senior Volunteer Patrol (RSVP) helps accomplish this goal. RSVP volunteers provide supplemental resource and support for our city’s police officers. They also meet community needs and address citizens’ concerns that would otherwise need to be handled by uniformed police officers.

These vehicles would be utilized for patrolling local neighborhoods, assisting at crime scenes and supporting crime prevention and homeland security efforts. In addition, RSVP volunteers visit elderly residents to check on their safety as part of the YANA (You Are Not Alone) program. In order to accomplish this important mission, they need additional patrol cars.

At one point, the Scripps-Mesa RSVP had six cars at their disposal. With this number were able to send volunteers out on patrol to both Scripps Ranch and Mira Mesa. Even

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if cars had to go in for repairs there were still sufficient cars for both the Scripps Ranch and Mira Mesa areas. During this time, many of the cars used were obtained through donations; but, as years past Scripps-Mesa started to use more and more cars exclusively supplied by the police.

One reason for this was that it was easier for the city to maintain the cars (Crown Victoria). The other reason was insurance. Crown Victoria's are considered the City of San Diego's cars being used by authorized volunteers on Police Department business – thus the cars and the volunteers are fully covered through the city's insurance. The problem Scripps-Mesa is facing is that cars are often taken away for use by another RSVP group or not returned because it is too costly for them to be repaired.

As the fiscal crisis at the city has worsened, more and more cars have been taken away from Scripps-Mesa. Today they are down to just two vehicles. With just two cars it is getting harder and harder for Scripps-Mesa to do patrols in both Mira Mesa and Scripps Ranch. If one car goes down for repairs the Administrator has to send volunteers home because there are not enough cars to to use. **This situation puts the RSVP at risk of not being able to continue serving a vital community service.**

I request a legal opinion on the following question:

- Is there a scenario under which the Scripps-Mesa RSVP Foundation could purchase and maintain a vehicle for RSVP use without losing the insurance provided by the City?

Thank you for your consideration and prompt answers to this question.

cc: Mayor Jerry Sanders  
Chief of Police William Lansdowne  
Risk Management Director Greg Bych